

Hon. Mr. McLagan

PUBLIC HOLIDAYS AMENDMENT

ANALYSIS

	3. Special provisions applicable when Christmas Day and New Year's Day fall on Saturdays.
	4. Anniversary days falling on Saturday or Sunday.
	5. Anzac Day.
Title.	
1. Short Title.	
2. Interpretation.	

A BILL INTITULED

AN ACT to Amend the Public Holidays Act, 1910.

Title.

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority
5 of the same, as follows:—

1. This Act may be cited as the Public Holidays Amendment Act, 1948, and shall be read together with and deemed part of the Public Holidays Act, 1910 (hereinafter referred to as the principal Act).

Short Title.

See Reprint of Statutes, Vol. III, p. 721

10 2. For the purposes of the principal Act,—
“ Act ” includes any regulation, rule, or order made under any Act:
“ Award or industrial agreement ” includes any
15 instrument or contract relating to the terms of employment of any worker.

Interpretation.

Special provisions applicable when Christmas Day and New Year's Day fall on Saturdays.

3. Where Christmas Day and New Year's Day fall on Saturdays the following rules shall apply with respect to the construction of the provisions of any Act, award, or industrial agreement:—

- (a) Where provision is made for the granting of a holiday, or the observance of certain hours of labour, or the payment of certain rates of wages on Saturdays, those provisions shall apply without modification on the Saturdays being Christmas Day and New Year's Day: 5
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- (b) Where provision is made for the granting of a holiday, or the observance of certain hours of labour, or the payment of certain rates of wages on Sundays, those provisions shall apply without modification on the Sundays being Boxing Day and the second day of January: 15
- (c) Where provision is made for the granting of a holiday, or the observance of certain hours of labour, or the payment of certain rates of wages on Christmas Day or New Year's Day, those provisions shall apply on the next succeeding Monday as if it were Christmas Day or New Year's Day, as the case may be: 20
- (d) Where provision is made for the granting of a holiday, or the observance of certain hours of labour, or the payment of certain rates of wages on Boxing Day or the second day of January (however those days are described), those provisions shall apply on the next succeeding Tuesday as if it were Boxing Day or the second day of January, as the case may be. 25
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Anniversary days falling on Saturday or Sunday.

4. Where in any Act, award, or industrial agreement provision is made for the granting of a holiday, or the observance of certain hours of labour, or the payment of certain rates of wages on the day of the anniversary of any province, and that day falls on a Saturday or a Sunday, those provisions shall apply on the next succeeding Monday as if it were that anniversary day. 35
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5. Where in any Act, award, or industrial agreement provision is made for the transfer of the granting of a holiday, or of the observance of certain hours of labour, or of the payment of certain rates of wages on Anzac Day to any other day instead of that day, that provision shall be void and of no effect:

Provided that nothing in this section shall affect any provision permitting or requiring an employer to grant a holiday on any other day instead of Anzac Day where the worker is required to work on Anzac Day at ordinary rates of wages.